

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

----- X
JUAN CARLOS INTERIANO, Individually, and JUAN :
CARLOS INTERIANO, as assignee of ALL-BORO :
REHAB CONSTRUCTION CORP., ALL BORO :
GROUP, LLC, and ALL-BORO CONSTRUCTION :
GROUP, INC., :

Plaintiffs,

-against-

ARCH SPECIALTY INSURANCE COMPANY,

Defendant.

----- X

Case No.: 23-cv-00238-PKC-AYS

**DECLARATION OF LAWRENCE
KLEIN IN SUPPORT OF MOTION TO
DISMISS PLAINTIFFS' COMPLAINT**

LAWRENCE KLEIN, pursuant to 28 U.S.C. § 1746(2), declares under penalty of perjury that the following is true and correct:

1. I am a partner in the law firm of Robinson & Cole LLP, counsel for Defendant Arch Specialty Insurance Company ("Arch") in connection with the above-entitled action.

2. I make this declaration in support of Defendant's Motion to Dismiss Plaintiffs' Complaint in its entirety, with prejudice, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure.

3. I am an attorney duly admitted to practice law in the State of New York and before this Court.

4. Attached as Exhibit 1, is a true and correct copy of the Construction Contract, between Nechemiah "Jonathan" Hoch and Henna Hoch and All-Boro Rehab Construction Corporation, dated October 1, 2016.

5. Attached as Exhibit 2, is a true and correct copy of a Complaint, dated November 30, 2022, filed in the New York Supreme Court for Nassau County, against Arch, bearing Index No. 616823/2022.

6. Attached as Exhibit 3, is a true and correct copy of Arch's General Liability Policy issued to All-Boro Rehab Construction Corp, dated February 7, 2017.

7. Attached as Exhibit 4, is a true and correct copy of Raymond Ardito's January 10, 2020 Affirmation in Support of Juan Carlos Interiano's Motion for a Default Judgment against All-Boro Rehab Construction Corp. and All-Boro Group, LLC filed in the Supreme Court of the State of New York-Queens County, bearing Index No. 716989/2019.

Dated: New York, New York
April 7, 2023



Lawrence Klein